

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ALEX PERRY NEAL

VS.

STATE OF TEXAS

§
§
§
§
§

CIVIL ACTION NO. 4:19cv859

ORDER OF DISMISSAL

This case were referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation on July 30, 2020. The Magistrate Judge concluded that Petitioner's case should be denied because Petitioner's sentence has been satisfied; thus, he is no longer "in custody," and the Court lacks subject matter jurisdiction. (Dkt. # 15). The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such actions, has been presented for consideration. No objections having been timely filed, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** the amended petition for writ of habeas corpus (Dkt. # 7) is **DENIED**, and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is further **ORDERED** all motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 3rd day of September, 2020.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE